

Application Serial No. 10/629,208  
Office Action Dated February 12, 2007

### REMARKS

Reconsideration and reexamination of the application are requested. Claims 1, 21, 22 and 24 are amended. The amendments are supported by the original disclosure, for example page 16, paragraph [0136]; page 32, paragraph [0215]; and Figures 2, 6 and 28. The claims as amended read on elected species I, Figures 1-19E. Claims 11 and 16 are withdrawn from consideration. Claim 9 is canceled. Claims 1-8 and 10-24 are pending.

Claims 1, 2, 6, 7, 8, 10, 12, 13, 19 and 24 are rejected under 35 USC 103(a) as being unpatentable of Davis et al. (US 6,755,269) in view of Hirano et al. (US 4,506,754).

In addition, claims 3-5 are rejected under 35 USC 103(a) as being unpatentable over Davis in view of Hirano and further in view of Maki et al. (US 6,270,106).

In addition, claims 9 and 21 are rejected under 35 USC 103(a) as being unpatentable over Davis in view of Hirano and further in view of CORBIN seat for 2001 HONDA Goldwing 1800.

In addition, claims 14, 15 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Davis in view of Hirano and further in view of Hanagan et al. (US 4,225,183).

In addition, claim 20 is rejected under 35 USC 103(a) as being unpatentable over Davis in view of Hirano and further in view of Toriyama et al. (US 6,218,804).

In addition, claims 22 and 23 are rejected under 35 USC 103(a) as being unpatentable over Davis in view of Hirano as applied to claim 1, and further in view of Kurata (US 4,606,429).

The cited references, including Davis and Hirano, do not teach or suggest a four-wheeled vehicle as claimed that includes a rear passenger seat that is entirely positioned forwardly of forwardmost points of the rear wheels, and the rear passenger seat having bulged portions provided at opposite sides thereof for providing a larger width than the driver's seat, and the bulged portions allow the rear passenger seat to be occupied by two passengers sitting thereon side-by-side.

Davis is characterized as teaching a rear passenger seat 88 shown in Figure 6. As is clearly illustrated in Figures 1 and 3 of Davis, the rear passenger seat overlaps the front

Application Serial No. 10/629,208  
Office Action Dated February 12, 2007

portion of the rear wheels. Therefore, the rear passenger seat is not entirely positioned forwardly of forwardmost points of the rear wheels. In addition, the rear passenger seat in Davis does not have bulged portions at opposite sides for providing a larger width than the driver's seat to allow the rear passenger seat to be occupied by two passengers sitting thereon side-by-side.

Hirano discloses a backrest 64 that when folded down can function as a rear passenger seat. However, when folded down, the backrest overlaps the rear wheels. Therefore, the rear passenger seat is not entirely positioned forwardly of forwardmost points of the rear wheels. In addition, the rear seat in Hirano does not have bulged portions at opposite sides for providing a larger width than the driver's seat to allow the rear passenger seat to be occupied by two passengers sitting thereon side-by-side.

US 4,606,429 to Kurata discloses a vehicle with a single rear wheel Wr, where a rear seat 15 is provided for a rear seat passenger. The rear seat 15 is positioned forwardly of the single rear wheel Wr. However, Kurata is from non-analogous art. Kurata is not a four-wheeled vehicle and it is not a straddle type vehicle as taught by Davis. A person having ordinary skill in the art would not turn to the vehicle of Kurata and combine it with Davis. There is no suggestion in the prior art of a four-wheeled vehicle having, among other features, a rear passenger seat that is entirely positioned forwardly of forwardmost points of the rear wheels. In addition, the rear seat in Kurata does not have bulged portions at opposite sides for providing a larger width than the driver's seat to allow the rear passenger seat to be occupied by two passengers sitting thereon side-by-side.

Prior claim 9 was rejected in view of Davis, Hirano and a document describing the Corbin seat for the 2001 Honda Goldwing 1800. The Corbin seat document is characterized as disclosing a passenger seat that is wider than the driver's seat and having bulged portions. The Corbin rear passenger seat is for a single passenger. The Corbin rear passenger seat does not allow the rear passenger seat to be occupied by two passengers sitting thereon side-by-side.

For at least these reasons, the claims are patentable over Davis, Hirano, Corbin, Kurata and the other cited references. The rejections to the dependent claims do not need to be addressed as the dependent claims are patentable along with the independent claims. Applicants do not concede the rejections to the dependent claims.

Application Serial No. 10/629,208  
Office Action Dated February 12, 2007

In the event that the claims are found allowable, Applicants request that claims 11 and 16 be examined at this time.

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.

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